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U. S. DEPARTMENT OF AGRICULTURE.

FEDERAL HORTICULTURAL BOARD.

C. L. Marlatt, *Chairman;* W. A. Orton, Geo. B. Sudworth, W. D. Hunter, Karl F. Kellerman.
R. C. Althouse, *Secretary.*

SERVICE AND REGULATORY ANNOUNCEMENTS.

APRIL, 1916.

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RULES AND REGULATIONS GOVERNING THE IMPORTATION OF NURSERY STOCK INTO THE UNITED STATES.

[Effective on and after July 1, 1916.]

LETTER OF TRANSMITTAL.

United States Department of Agriculture,
Federal Horticultural Board,
Washington, D. C., April 12, 1916.

Sir: The Federal Horticultural Board respectfully submits the following revision of the rules and regulations governing the importation of nursery stock into the United States, under the provisions of the Plant Quarantine Act of August 20, 1912. This revision supersedes, effective on and after July 1, 1916, the circular of June 23, 1914, entitled "Rules and Regulations under the Plant Quarantine Act: General, including Nursery Stock."

These revised regulations are substantially the same as those now in effect. The most important change is the provision that permits to import nursery stock from countries which maintain nursery stock inspection, and permits to import orchids and tree seeds from countries which do not maintain nursery-stock inspection, instead of being reissued each year, will be valid until revoked. The list of plants the entry of which is prohibited is brought up to date. Amendment No. 1 to the former rules and regulations, issued April 19, 1915, providing for the importation of orchids and tree seeds in commercial quantities from countries which do not maintain nursery-stock inspection, is incorporated in regulation 6. Regulation 8 has been revised to indicate more fully the requirements of the notice of shipment. Old regulations 1 and 10 have been omitted as unnecessary. These regulations do not have particular

application to nursery stock, but apply to all of the different regulations issued under the Plant Quarantine Act. Regulation 10 on hearings merely repeats the provision of the act itself on this subject. A new regulation, No. 1, has been substituted prohibiting the importation of nursery stock except in accordance with the provisions of the Plant Quarantine Act and the regulations drawn thereunder. The Plant Quarantine Act, which has hitherto been published in connection with these regulations, has been omitted.[1]

A list of State inspection officials is appended, together with a list of the foreign countries which have provided for inspection and certification in conformity with the requirements of this act.

Respectfully,

C. L. Marlatt,
Chairman.
W. A. Orton,
Geo. B. Sudworth,
W. D. Hunter,
Karl F. Kellerman,
Federal Horticultural Board.
R. C. Althouse,
Secretary of Board.

D. F. Houston,
Secretary of Agriculture.

Approved:
Francis G. Caffey,
Solicitor.

Regulation 1. Restrictions on the importation of nursery stock.

The importation of nursery stock from any foreign country, except in accordance with the provisions of the Plant Quarantine Act of August 20, 1912 (37 Stat., 315), as amended March 4, 1913 (37 Stat., 828, 854), and the regulations prescribed thereunder, is prohibited.[2]

Regulation 2. Definitions.

For the purpose of this act the term "nursery stock" includes all field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits, and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots.

The following classes of plants are included in nursery stock as defined above: Fruit trees, fruit-tree stocks, nut trees, grapevines, bush fruits, roses, rose stocks, forest and ornamental trees and shrubs (both deciduous and evergreen), field-grown florists' stock, cuttings, scions, or seedlings, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation not otherwise listed, except as noted above.

All woody plants and parts thereof for propagation or planting are included within the term "nursery stock" as used in this act.

"Field-grown florists' stock" is all florists' stock which is usually grown outside of greenhouses for all or part of the year.

"Herbaceous plants" are plants which perish annually down to (sometimes including) the root; that is, soft, succulent plants.

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[1] Copies of this act can be obtained on request

[2] A post-office order dated May 27, 1913, as amended December 16, 1913, prohibits the importation by mail of all growing or living plants, seeds, and other plant products for propagation, except field, vegetable, and flower seeds.

Regulation 3. Applications for permits for importation of nursery stock.

Persons contemplating the importation of nursery stock shall first make application to the Federal Horticultural Board for a permit, stating in the application the name and address of the exporter, the country and locality where grown, the port of entry, and the name and address of the importer in the United States to whom the permit should be sent.

Applications for permits should be made in advance of the shipment of the nursery stock, but if, through no fault of the importer, stock should arrive before the issue of a permit the stock will be held in customs custody at the risk and expense of the importer for a period not exceeding 20 days pending the issue of a permit.

Applications may be made by telegraph, in which case the information required above must be given.

The port of entry is the port where the stock is cleared from customs and the duty paid, and is therefore not necessarily the port of arrival.

Seeds and plants not included in "nursery stock," as defined in regulation 2, and not under specific quarantine, may be imported without permit or compliance with other provisions of the Plant Quarantine Act.

Permits are not required for nursery stock entering the United States for immediate transportation in bond to foreign countries.

Permits for nursery stock entering the United States for immediate transportation to interior points in bond are required only at port of entry.

Two forms of application are provided: (1) For importation of nursery stock from countries which maintain nursery stock inspection in accordance with regulations 6 and 7; and (2) for importation from countries which do not maintain nursery stock inspection in accordance with regulations 6 and 7.

APPLICATION FOR PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH MAINTAIN NURSERY STOCK INSPECTION.

....., 191 .

To the Federal Horticultural Board, Washington, D. C.

SIRS: A permit is requested for the importation of nursery stock, including the following pines: .....
(Scientific names of pines to be given.)

.....

from .....
(Name and address of exporter.)

grown in the country of....., locality of.....

Port of entry.....

Name and address of person (either applicant or his agent or broker) to whom permit should be mailed.....

.....

Very respectfully,

.....
(Name of applicant.)

.....
(Address.)

No statement of quantity to be imported need be made in the application.

Except as to pines, a statement as to the nature of nursery stock to be imported is not required in the application; but full information must be given in the notices required by regulation 8.

In the case of pines from Asia, the Dominion of Canada, and Newfoundland, the scientific names must be given in the application.

The entry of the following nursery stock is prohibited:[1]

All five-leafed pines from any country of Europe and Asia. (Quarantine No. 7, May 21, 1913.)

[1] A list of the plants and plant products the entry of which is prohibited will be given in the Service and Regulatory Announcements of the Federal Horticultural Board, published monthly, copies of which can be secured on request.

All pines not already excluded by quarantine from all European countries and localities. (Quarantine No. 20, March 1, 1915.)

All five-leafed pines and all species and varieties of currants (*Ribes*) and gooseberries (*Grossularia*) from the Dominion of Canada and Newfoundland. (Amendment No. 1 to Quarantine No. 7, February 29, 1916.)

Avocado seed from Mexico and the countries of Central America. (Quarantine No. 12, February 27, 1914.)

Avocado nursery stock less than 18 months of age from Mexico and the countries of Central America. (Regulations Governing the Importation of Avocado Fruit and Nursery Stock into the United States, under the Provisions of the order of the Secretary of Agriculture, issued February 27, 1914.)

Citrus nursery stock, including buds, scions and seeds from all foreign localities and countries. (Quarantine No. 19, December 10, 1914.)

APPLICATION FOR PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH DO NOT MAINTAIN NURSERY STOCK INSPECTION.

....., 191 .

To the Federal Horticultural Board, Washington, D. C.

SIRS: A permit is requested for the importation, for experimental purposes, of the nursery stock described below, during the period ....., 191 , to June 30, 191 :

Quantity.	Exact designation of plants to be imported.
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....

Name and address of exporter.....

Country where grown.....

Locality where grown.....

Port of entry.....

Name and address of person (either applicant or his agent or broker) to whom permit should be mailed.....

Very respectfully,

.....
(Name of applicant.)

.....
(Address.)

Regulation 4. Delivery in bond.

If the permit required for the importation of nursery stock from countries which maintain nursery stock inspection be not at hand at the time of the arrival at port of entry of the nursery stock, such stock may be delivered to the importer, consignee, or agent for the proper care thereof upon the filing of a voluntary bond with approved sureties in double the invoice value of the property (the amount of the bond in no case to be less than $20), conditioned upon the redelivery thereof to the collector within 20 days from the date of arrival, and providing that the same shall not be removed from the port of entry within such period or until the presentation of the proper permit; or, if the importer, consignee, or agent shall so elect, the goods may be retained in customs custody pending the issuance of the permit, wholly at the risk and expense of the importer.

Regulation 5. Permits for entry of nursery stock.

On approval by the Secretary of Agriculture of an application for the importation of nursery stock from countries which maintain nursery stock inspection a permit will be issued in triplicate. One copy of the permit will be furnished to the applicant, to be retained by him for presentation, on the arrival of the imported stock, to the customs officer at the port of entry named in the permit; one copy will be mailed to the collector at the port of entry; and the third filed with the application.

Permits to import nursery stock from countries which maintain nursery stock inspection, and permits to import orchids and tree seeds from countries which do not maintain nursery stock inspection, shall be valid until revoked. Permits to import nursery stock, except orchids and tree seeds, from countries which do not maintain nursery stock inspection will expire on the 30th day of June next after they become valid, and a separate permit shall be required for each importation.

Permits may be canceled, and further permits refused, for the importation of the products of any grower or exporter who has knowingly shipped into the United States any nursery stock, or other plants or plant products, the importation of which is forbidden by the Secretary of Agriculture under the authority conferred by section 7 of the Plant Quarantine Act.

Permits for the entry of nursery stock from countries which maintain nursery stock inspection will be addressed to the collector of customs at the port of entry in the following form:

UNITED STATES DEPARTMENT OF AGRICULTURE
FEDERAL HORTICULTURAL BOARD
WASHINGTON, D. C.

PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH MAINTAIN NURSERY STOCK INSPECTION.

Valid until revoked.

.....191 .

To the Collector of Customs, ...

You are hereby authorized, so far as the jurisdiction of the Department of Agriculture is concerned, to permit the entry under the Plant Quarantine Act, approved August 20, 1912, of any nursery stock, the entry of which is not prohibited, the origin and destination of which is specified below, provided the invoice of each shipment is accompanied by an original certificate of inspection issued by a duly authorized official of the country from which the shipment is made, and each container bears a copy of this certificate of inspection, and, further, that each container is marked in conformity with said act and the regulations thereunder.

Name and address of exporter.....
Country and locality where grown.....
Name and address of importer.....
.....

Respectfully,

D. F. HOUSTON,
Secretary of Agriculture.

Countersigned:

.....
Chairman of board.

.....
Secretary of board.

Permits for the entry of nursery stock from countries which do not maintain nursery stock inspection will be addressed to the collector of customs at the port of entry in the following form:

UNITED STATES DEPARTMENT OF AGRICULTURE
FEDERAL HORTICULTURAL BOARD
WASHINGTON, D. C.

PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH DO NOT MAINTAIN NURSERY STOCK INSPECTION.

Valid ....., 191.., to June 30, 191...

....., 191 .

To the Collector of Customs, ...

You are hereby authorized, so far as the jurisdiction of the Department of Agriculture is concerned, to permit the entry under the Plant Quarantine Act, approved August 20, 1912, of the nursery stock described herein only upon receipt of notice in writing from an inspector of the Department of Agriculture that such nursery stock has been inspected by him or under his direction and found or believed to be free from plant diseases and insect pests: *Provided*, That such nursery stock, when found to be infested, may be delivered to the importer or consignee in bond for treatment in accordance with regulation 6 under said act.

Quantity.	Exact designation of plants to be imported.
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....

Name and address of exporter.....
Country and locality where grown.....
Name and address of importer.....
.....

Respectfully, D. F. HOUSTON,
Secretary of Agriculture.

Countersigned:

.....
Chairman of board.

.....
Secretary of board.

Regulation 6. Inspection, certification, and marking of nursery stock as a condition of entry.

Entry of nursery stock from countries which maintain nursery stock inspection will not be allowed unless the invoice is accompanied by an original certificate, and unless each container bears a copy certificate, issued by a duly authorized official of the country from which it is exported, stating that the nursery stock covered by the certificate has been thoroughly inspected by him or under his direction and found, or is believed to be, free from injurious plant diseases and insect pests. Nursery stock exported between October 1 and May 31 shall be inspected on or after the 1st of October, and stock exported between June 1 and September 30 shall be inspected at the time of packing: *Provided*, That for tropical and semitropical countries, or for stock grown under glass, the inspection shall be at time of packing throughout the entire year.

Nursery stock, except orchids and tree seeds, from countries which do not maintain nursery stock inspection will be admitted into the United States only for experimental purposes and in limited quantities under special permit through ports designated therein. (See regulation 5.) Orchids and tree seeds may be imported from such

countries in commercial quantities under special permit. Such nursery stock shall not be delivered to the importer or consignee until it has been examined by an inspector of the Department of Agriculture and found to be free from plant diseases and insect pests: *Provided, however*, That nursery stock, which, in the judgment of the Federal Horticultural Board, can be cleaned by disinfection or other treatment may be delivered to the importer, consignee, or agent for the proper care and treatment thereof upon the filing of a voluntary bond, with approved sureties in double the invoice value of the property (the amount of the bond in no case to be less than $20 nor less than $1 per plant in case of date palms and date-palm offshoots), conditioned upon the redelivery thereof to the collector of customs within 40 days from date of arrival, and providing that the same shall not be removed from the port of entry until a written notice is given to the collector of customs by the inspector of the Department of Agriculture that the nursery stock in question has been properly treated. Nursery stock inspected, as provided herein, which is found to be carrying any plant disease or insect pest, and which, in the judgment of the Federal Horticultural Board, can not be cleaned by disinfection or treatment, shall be refused entry. All charges for storage, cartage, and labor incident to inspection, other than the services of inspectors, shall be paid by the importer.

If a package of nursery stock offered for entry includes any prohibited article, the entire package will be refused entry.

Each case, box, or other container or covering of nursery stock offered for entry shall be plainly and correctly marked to show the number of permit, the general nature and quantity of the contents, the district or locality and country where grown, the name and address of the exporter, and the name and address of the consignee.

Permits may be canceled and further permits refused for importations from any foreign exporter who, after warning, continues to send packages not certified as above, i. e., lacking copy certificate attached to package.

Regulation 7. Foreign certificate of inspection.

Each certificate and copy certificate shall give the date of inspection; name of the grower or exporter; the district or locality and the country where grown; a statement that the stock has been inspected by a duly authorized official and found, or believed to be, free from insect pests and plant diseases. The original certificate shall be signed and sealed by, and the copy certificate shall bear the seal of, a responsible inspection official for the country of origin.

Permits may be canceled and further permits refused for the importation of nursery stock from any given country whenever such stock, in the judgment of the Federal Horticultural Board, is found to be so infested as plainly to indicate that the foreign inspection is merely perfunctory, and such countries shall thereafter be classed as countries which do not maintain nursery stock inspection until satisfactory evidence is presented to show that the regulations of the board have been complied with.

Lists of officials in foreign countries authorized to inspect nursery stock, giving their names and official designations, will be furnished to collectors of customs through the Secretary of the Treasury.

Regulation 8. Notice of shipment at port of entry and interstate.

Immediately upon the entry and before removal from the port of entry of nursery stock, for each separate shipment or consignment thereof, the permittee shall notify the Secretary of Agriculture through the collector of customs where entry is made, on forms provided for that purpose, stating the number of permit, the general nature and quantity of the nursery stock, the country and locality where grown, number of cases and marks and numbers on cases, the date of entry, name of the foreign shipper, name of importer or broker at port of entry, port of entry, and the name and address

of the consignee to whom it is proposed to forward the nursery stock, together with the probable date of delivery for transportation. A separate report is required for each ultimate consignee.

At the same time a copy of the notice to the Secretary of Agriculture shall be sent by the permittee to the duly authorized inspector or other officer of the State, Territory, or District to which the nursery stock is to be shipped. A list of such inspectors and officers is appended.

Permits may be canceled and further permits refused if a permittee fails to give either of said notices or gives an incomplete notice, or gives a false notice or knowingly mislabels any nursery stock with intent to evade any provision of the Plant Quarantine Act or of any regulation thereunder.

Should a consignee named in such a notice ship or deliver for shipment to any other State, Territory, or District such nursery stock before it has been inspected by a duly authorized State, Territorial, or District inspector or officer, he shall prior to such shipment give like notice to the Secretary of Agriculture and to the duly authorized inspector or other officer of the State, Territory, or District to which the nursery stock is to be reshipped.

Imported nursery stock which has been once inspected will be allowed to move interstate without restrictions other than those imposed on the interstate movement of domestic nursery stock.

Regulation 9. Marking as a condition of interstate shipment.

No person shall ship or deliver for shipment from one State or Territory or District of the United States into any other State or Territory or District any imported nursery stock the case, box, package, crate, bale, or bundle whereof is not plainly marked so as to show the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where such stock was grown, unless and until such imported stock has been inspected by the proper official of a State, Territory, or District of the United States.

The above rules and regulations are hereby adopted and shall be effective on and after July 1, 1916, and shall supersede on and after said date the Rules and Regulations under the Plant Quarantine Act: General, Including Nursery Stock, promulgated June 23, 1914, as modified by Amendment No. 1 thereto, promulgated April 19, 1915.

D. F. Houston,
Secretary of Agriculture.

Washington, D. C., *April 15, 1916.*

STATE INSPECTION OFFICIALS.

Alabama: State Horticulturist, Alabama Polytechnic Institute, Auburn, Ala.

Alaska: Special Agent in Charge, Alaska Agricultural Experiment Station, Sitka, Alaska.

Arizona: State Entomologist, Phoenix, Ariz.

Arkansas: State Inspector, Fayetteville, Ark.

California: Horticultural Quarantine Officer, Room 11, Ferry Building, San Francisco, Cal.

Colorado: Entomologist, Colorado Agricultural Experiment Station, Fort Collins, Colo.

Connecticut: State Entomologist, New Haven, Conn.

Delaware: Secretary, State Board of Agriculture, Dover, Del.

District of Columbia: U. S. Department of Agriculture, Federal Horticultural Board.

Florida: Inspector of Nursery Stock, Florida Agricultural Experiment Station, Gainesville, Fla.

Georgia: State Entomologist, Atlanta, Ga.

Guam: Special Agent in Charge, Guam Agricultural Experiment Station, Island of Guam (via San Francisco).

Hawaii: Entomologist, Board of Commissioners of Agriculture and Forestry, Honolulu, Hawaii.

Idaho: State Horticultural Inspector, Boise, Idaho.

Illinois: Chief Inspector, Office State Entomologist, Urbana, Ill.

Indiana: State Entomologist, Indianapolis, Ind.

Iowa: State Entomologist, Iowa State College, Ames, Iowa.

Kansas, North: Entomologist, Kansas Agricultural Experiment Station, Manhattan, Kans.

Kansas, South: Entomologist, University of Kansas, Lawrence, Kans.

Kentucky: State Entomologist, Kentucky Agricultural Experiment Station, Lexington, Ky.

Louisiana: Entomologist, State Board of Agriculture and Immigration, Baton Rouge, La.

Maine: State Horticulturist, Augusta, Me.

Maryland: State Entomologist, College Park, Md.

Massachusetts: State Nursery Inspector, Amherst, Mass.

Michigan: State Inspector of Nurseries, East Lansing, Mich.

Minnesota: State Entomologist, St. Anthony Park, Minn.

Mississippi: Entomologist, Agricultural College, Miss.

Missouri: Entomologist, University of Missouri, Columbia, Mo.

Montana: Montana State Board of Horticulture, Missoula, Mont.

Nebraska: State Entomologist, University of Nebraska, Lincoln, Nebr.

Nevada: Director, Nevada Agricultural Experiment Station, Reno, Nev.

New Hampshire: Acting State Nursery Inspector, Durham, N. H.

New Jersey: State Entomologist, New Brunswick, N. J.

New Mexico: Horticulturist, New Mexico Agricultural Experiment Station, State College, N. Mex.

New York: Commissioner of Agriculture, Albany, N. Y.

North Carolina: State Entomologist, State Department of Agriculture, Raleigh, N. C.

North Dakota: Director, North Dakota Agricultural Experiment Station, Agricultural College, N. Dak.

Ohio: Chief Inspector, Ohio Department of Agriculture, Columbus, Ohio.

Oklahoma: Secretary, State Board of Agriculture, Oklahoma City, Okla.

Oregon: Secretary, State Board of Horticulture, Portland, Oreg.

Pennsylvania: Chief Nursery Inspector, Harrisburg, Pa.

Porto Rico: Entomologist, Board of Commissioners of Agriculture, Rio Pedras, P. R.

Rhode Island: State Nursery Inspector, Kingston, R. I.

South Carolina: State Entomologist, Clemson College, S. C.

South Dakota: Entomologist, State College of Agriculture, Brookings, S. Dak.

Tennessee: State Entomologist, Knoxville, Tenn.

Texas: Chief Inspector of Nurseries, Houston, Tex.

Utah: State Horticultural Inspector, Salt Lake City, Utah.

Vermont: State Nursery Inspector, Burlington, Vt.

Virginia: State Entomologist, Blacksburg, Va.

Washington: Commissioner of Agriculture, Olympia, Wash.

West Virginia: State Entomologist, West Virginia Agricultural Experiment Station, Morgantown, W. Va.

Wisconsin: Entomologist and Chief Nursery Inspector, College of Agriculture, Madison, Wis.

Wyoming: Secretary State Board of Horticulture, Laramie, Wyo.

LIST OF THE FOREIGN COUNTRIES WHICH HAVE PROVIDED FOR INSPECTION AND CERTIFICATION IN CONFORMITY WITH THE REQUIREMENTS OF THE PLANT QUARANTINE ACT OF AUGUST 20, 1912.

Australia.
Barbados.
Belgium.
Bermuda.
British Guiana.
Canada.
Cuba.
Denmark.
England.
France.
Germany.
Guatemala.
Holland.
Ireland.
Italy—Province of Padova (Padua) only.
Jamaica.
Japan.
Leeward Islands:
- Antigua.
- St. Christopher-Nevis.
- Dominica.
- Montserrat.
- Virgin Islands.

Grand Duchy of Luxemburg.
New Zealand.
Philippine Islands.
Scotland.
Union of South Africa.
Spain.
Straits Settlements.
Switzerland.
Trinidad.
Wales.
Windward Islands:
- Granada.
- St. Lucia.
- St. Vincent.

AMENDMENT NO. 1 TO THE RULES AND REGULATIONS GOVERNING THE IMPORTATION OF COTTON INTO THE UNITED STATES.

Under authority conferred by the Plant Quarantine Act of August 20, 1912 (37 Stat., 315), it is ordered that the second paragraph of regulation 10 of the regulations governing the importation of cotton into the United States, revised January 25, 1916, effective February 1, 1916, be, and the same hereby is, amended, effective immediately, to read as follows:

A licensee who has received cotton from a permittee, in compliance with these regulations, shall not make subsequent shipments of such cotton except to a person, firm, or corporation holding an unrevoked license as provided in this regulation, and then only after giving the notice prescribed by Regulation 8: *Provided*, That upon approval by the Federal Horticultural Board cotton or cotton waste originating with or subsequent to the carding machine, or which has been processed by bleaching or dyeing so as to have destroyed all insect life, may be shipped without restriction.

Done at Washington this 21st day of April, 1916.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] D. F. HOUSTON,
Secretary of Agriculture.

GRADES OF WASTE FROM IMPORTED COTTON WHICH MAY BE DISTRIBUTED, UPON APPROVAL, WITHOUT RESTRICTION.

APRIL 26, 1916.

DEAR SIRS: You will note from the inclosed copy of Amendment No. 1 to the Rules and Regulations Governing the Importation of Cotton into the United States that upon approval by the Federal Horticultural Board cotton or cotton waste originating with or subsequent to the carding machine, or which has been processed by bleaching or dyeing so as to have destroyed all insect life, may be shipped without restriction. The approval referred to may be given only after the board has received samples of the grade or grades of waste originating with or subsequent to the carding machine, or of cotton which has been processed by bleaching or dyeing, together with a description in detail of the process through which it has passed.

Such approval is not necessary when waste originating with or subsequent to the carding machine is shipped to a licensee.

Yours very truly,

JOS. H. BATT,
Assistant in Charge Cotton Importations.

LETTER TO THIRD ASSISTANT POSTMASTER GENERAL RELATIVE TO MAIL IMPORTATIONS OF PLANTS FROM THE PHILIPPINE ISLANDS.

April 24, 1916.

Sir: Receipt is acknowledged of your letter of the 19th instant, inclosing correspondence submitted by the acting director of posts of the Philippine Islands, relative to an inquiry by Mr. Wm. S. Lyon, of Manila, as to whether parcels containing plants and plant products may be sent by mail from the Philippine Islands to points within the United States when accompanied by certificates of inspection issued by the Philippine Bureau of Agriculture certifying that the contents are free from injurious plant pests or diseases.

As you are aware, the instructions contained in the letter of April 18, 1913, of the Second Assistant Postmaster General to the director of the International Bureau of the Universal Postal Union at Berne, as amended by his letter of December 16, 1913, prohibit the mail importation of all growing or living plants, seeds, and other plant products for propagation, except field, vegetable, and flower seeds. The director of the Philippine Bureau of Agriculture is mistaken in his belief that only quarantined articles are prohibited entry through the mails. The prohibition applies to all plants and plant products for propagation, with the exception of the seeds noted, whether such material is covered by quarantine or not, and even though it is certified as free from pests.

While domestic rates and conditions apply to all mail matter passing between the United States proper and the Philippine Islands, so far as your department is concerned, the instructions referred to above were issued at the request of the Department of Agriculture under the authority of the Plant Quarantine Act of August 20, 1912, and in the enforcement of this act it has been found necessary to treat the Philippine Islands as a foreign country. For your information, I quote below a letter on this subject, written by the solicitor of this department under date of October 27, 1913:

I have your letter of October 3, 1913, asking whether the term "United States," as used in the Plant Quarantine Act, refers only to the continental United States or whether it includes also our insular possessions.

It is suggested in your letter that the enforcement of the provisions of the statute, in respect to permits required for nursery stock imported into the United States, against products of Hawaii, Porto Rico, Guam, and the Philippines, must depend upon decision whether, as a matter of law, those political subdivisions are included within the term "United States." This is true in a measure; because unless Hawaii, Porto Rico, Guam, and the Philippines are part of the United States, using the term in its broad and comprehensive sense to indicate what Chief Justice Marshall called the American Empire, they are not subject to its laws. On the other hand, it does not follow, because certain territory in this sense is included within the United States that a statute regulating imports into the United States is applicable thereto. From the beginning Congress has consistently recognized a difference between the original States and subsequently acquired territory, and has specifically legislated for such territory when it was its intention to execute laws beyond the limits of the States. Legislation creating new States uniformly contains provisions extending the Constitution and laws of the United States thereto, and the Constitution and laws of the United States by specific enactment have been extended to the District of Columbia (16 Stat., 426), to Porto Rico (31 Stat., 8), to the Territory of Hawaii (31 Stat., 141), and to the Territory of Alaska (37 Stat., 512).

Hawaii, for the purposes of the Plant Quarantine Act, in my opinion, must be regarded a part of the United States. No authority exists, therefore, for requiring permits for nursery stock shipped therefrom to any State, Territory, or District of the United States. Similarly, no permits can be required from Porto Rico. Such action as you may desire to take against nursery stock shipped from Hawaii or Porto Rico must be taken under the provisions of the act governing domestic quarantine.

The Philippines and Guam, however, are subject to different considerations. The Congress has not yet extended to them the general laws of the United States, and in the Plant Quarantine Act has not specifically legislated as to them. That act throughout treats as included within the term "United States" States, Territories, and Dis-

tricts. Neither the Philippines nor Guam is a State, Territory, or District within the meaning of the statute. I advise you accordingly that nursery stock received from the Philippines or Guam must be regarded as "offered for entry into the United States," and should be excluded unless such stock is accompanied by a permit and otherwise complies with the provisions of the law and the regulations governing nursery stock offered for entry into the United States.

The importation by mail of plants and plant products for propagation from the Philippine Islands, with the exception of field, vegetable, and flower seeds, can, therefore, not be sanctioned. The risk of introduction through the mails of insect pests and plant diseases dangerous to our tropical and subtropical cultures is perhaps even greater than from older and more thoroughly exploited regions of the world. Many of the insect pests and diseases in the Philippines are new and fortunately not yet established in our subtropics. Furthermore, very little is known of such diseases and pests, and all importations, therefore, are potential sources of danger. The mails would permit these dangerous pests to be distributed miscellaneously where they could not be checked up by inspection or disinfection.

Yours very truly,

C. L. Marlatt,
Chairman of Board.

Hon. A. N. Dockery,
Third Assistant Postmaster General,
Washington, D. C.

WARNING TO TRAVELERS RELATIVE TO THE IMPORTATION OF LIVING PLANTS FROM FOREIGN COUNTRIES.[1]

Persons leaving the United States for temporary travel in foreign countries are warned that the bringing of nursery stock and related plants into the United States is prohibited under the Federal Plant Quarantine Act, except where a permit for the entry of such plants has been previously obtained from the Federal Horticultural Board of the United States Department of Agriculture. Nursery stock is defined in the Plant Quarantine Act as follows:

All field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits, and other seeds of ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants and other herbaceous plants, bulbs, and roots.

Declaration must be made to the United States customs officials by all passengers of any nursery stock or other plants as defined above in their possession, and if a permit has not been previously obtained for the entry of such plants the plants will be held and denied entry pending the issuance of a permit by the Department of Agriculture.

On the securing of a permit, such plants, if found on inspection to be free from injurious insect pests and plant diseases, will be passed for entry.

The plants excepted from the definition of nursery stock, namely, field, vegetable, and flower seeds, bedding plants and other herbaceous plants, bulbs, and roots, may be entered without restriction.

The entry of certain plants and plant products is absolutely prohibited by specific quarantines. A list of such prohibited articles follows:

1. Potatoes from Newfoundland, the islands of St. Pierre and Miquelon, Great Britain, Ireland, Germany, and Austria-Hungary.

2. Oranges, sweet limes, grapefruit, mangoes, achras sapotes, peaches, guavas, and plums from the Republic of Mexico.

3. All pines from Europe and all five-leafed pines from Asia, the Dominion of Canada, and Newfoundland.

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[1] The above note was prepared for distribution by the customs officers of the Treasury Department to passengers on outward-bound ships, especially from the port of New York. Later an abbreviation of this notice will be printed in the "Notice to Passengers," issued by the Treasury Department.

4. Currant and gooseberry plants from the Dominion of Canada and Newfoundland.

5. Cotton seed (including seed cotton) and cottonseed hulls from the Territory of Hawaii and from all foreign countries and localities, with the exception of the States of Nuevo Leon, Coahuila, Durango, Chihuahua, Lower California, and Tamaulipas, Mexico.

6. Avocado seeds, avocado nursery stock less than 18 months of age, and fruit of the small, purple, thin-skinned variety of the avocado, from Mexico and the countries of Central America.

7. Sugar cane from all foreign countries and from the Territories of Porto Rico and Hawaii.

8. Citrus plants of all kinds, including seeds, from all foreign countries.

9. Seed and all other portions of Indian corn or maize, Teosinte, Job's tears, *Polytoca*, *Chionachne*, and *Sclerachne*, in the raw or unmanufactured state, from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands.

10. Alligator pears, carambolas, Chinese ink berries, Chinese oranges, Chinese plums, coffee berries, cucumbers, damson plums, eugenias, figs, grapes, grapefruit, green peppers, guavas, kamani nuts, kumquats, limes, loquats, mangoes, mock oranges, mountain apples, melons, Natal or Kafir plums, oranges, papayas, peaches, persimmons, prickly pears, rose apples, star apples, string beans, squashes, and tomatoes from the Territory of Hawaii.

C. L. Marlatt,
Chairman Federal Horticultural Board.

Washington, D. C., *April 28, 1916.*

NOTICE OF QUARANTINE NO. 24—CORN DISEASES.

(Supersedes No. 21. Effective on and after July 1, 1916.)

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that maize or Indian corn (*Zea mays* L.) and closely related plants are subject to certain injurious diseases, especially *Peronospora maydis* Raciborski, *Sclerospora sacchari* Miyake and other downy mildews; also the *Physoderma* diseases of maize, *Physoderma zeae-maydis* Shaw, and *Physoderma maydis* Miyake, new to and not heretofore widely prevalent or distributed within and throughout the United States, and that these diseases occur in southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands.

Now, therefore, I, D. F. Houston, Secretary of Agriculture, under the authority conferred by section 7 of the act of Congress approved August 20, 1912, known as the Plant Quarantine Act (37 Stat. L., 315), do hereby declare that it is necessary, in order to prevent the introduction into the United States of the above-mentioned diseases, to forbid the importation into the United States in the raw or unmanufactured state, of seed and all other portions of Indian corn or maize (*Zea mays* L.) and the closely related plants, including all species of Teosinte (*Euchlaena*), Job's tears (*Coix*), *Polytoca*, *Chionachne*, and *Sclerachne*, from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands.

On and after July 1, 1916, and until further notice, by virtue of said section 7 of the act of Congress approved August 20, 1912, the importation into the United States, in the raw or unmanufactured state, from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands, of seed and all other portions of Indian corn or maize (*Zea mays* L.), and the closely related plants, including

all species of Teosinte (*Euchlaena*), Job's tears (*Coix*), *Polytoca*, *Chionachne*, and *Sclerachne*, except for experimental or scientific purposes by the Department of Agriculture, is prohibited.

This notice of quarantine amends and supersedes Notice of Quarantine No. 21, promulgated March 8, 1915, and shall be effective until otherwise ordered.

Done at Washington this 29th day of April, 1916.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] D. F. HOUSTON,
Secretary of Agriculture.

LIST OF CURRENT QUARANTINE AND OTHER RESTRICTIVE ORDERS.

QUARANTINE ORDERS.

The numbers assigned to these quarantines indicate merely the chronological order of issuance of both domestic and foreign quarantines in one numerical series. The quarantine numbers missing in this list are quarantines which have either been superseded or revoked. For convenience of reference these quarantines are here classified as domestic and foreign.

DOMESTIC QUARANTINES.

Quarantine No. 6, with regulations: Prohibits the interstate movement of date palms or date-palm offshoots from Riverside County, Cal., east of the San Bernardino meridian; Imperial County, Cal.; Yuma, Maricopa, and Pinal Counties, Ariz.; and Webb County, Tex., except in accordance with the rules and regulations prescribed in the Notice of Quarantine, on account of two injurious scale insects, to wit, the Parlatoria scale (*Parlatoria blanchardi*) and the Phoenicococcus scale (*Phoenicococcus marlatti*).

Quarantine No. 9: Prohibits the importation of cotton seed and cottonseed hulls from the Territory of Hawaii on account of the pink bollworm.

Quarantine No. 13, as amended, with regulations: Prohibits the importation from Hawaii of any fruit or vegetable upon which the Mediterranean fruit fly or the melon fly breeds, or which, from proximity of growth or the requirements of packing and shipping, may carry infestation, including:

Alligator pears, bananas, carambolas, Chinese ink berries, Chinese oranges, Chinese plums, coffee berries, cucumbers, damson plums, eugenias, figs, grapes, grapefruit, green peppers, guavas, kamani nuts, kumquats, limes, loquats, mangoes, mock oranges, mountain apples, melons, natal or kafir plums, oranges, papayas, peaches, persimmons, pineapples, prickly pears, rose apples, star apples, string beans, squashes, and tomatoes, except that bananas and pineapples may be moved from the Territory of Hawaii in manner or method or under conditions prescribed in the regulations of the Secretary.

Quarantine No. 16: Prohibits the importation from Hawaii and Porto Rico of living canes of sugar cane, or cuttings or parts thereof, on account of certain injurious insects and fungous diseases of the sugar cane known to occur in these Territories.

Quarantine No. 22, with regulations: Prohibits the movement interstate to any point outside of the quarantined area of the plants and plant products listed therein until such plants and plant products have been inspected by the United States Department of Agriculture and pronounced free from the gipsy moth and the brown-tail moth. This quarantine covers portions of the New England States.

Quarantine No. 23, as revised, with regulations: Prohibits the movement of cotton from Hawaii to the continental United States except in accordance with the regulations prescribed in the Notice of Quarantine.

FOREIGN QUARANTINES.

Quarantine No. 3: Prohibits the importation of the common or Irish potato from Newfoundland; the islands of St. Pierre and Miquelon; Great Britain, including England, Scotland, Wales, and Ireland; Germany; and Austria-Hungary, on account of the disease known as potato wart.

Quarantine No. 5, as amended: Prohibits the importation of oranges, sweet limes, grapefruit, mangoes, achras sapotes, peaches, guavas, and plums from the Republic of Mexico, on account of the Mexican fruit fly.

Quarantine No. 7, as amended: Prohibits the importation from each and every country of Europe and Asia and from the Dominion of Canada and Newfoundland of all five-leafed pines, and from the Dominion of Canada and Newfoundland of all species and varieties of the genera *Ribes* and *Grossularia*, on account of the white-pine blister rust.

Quarantine No. 8, as amended, with regulations: Prohibits the importation from any foreign locality and country, excepting only the States of Nuevo Leon, Coahuila, Durango, Chihuahua, Lower California, and Tamaulipas, Mexico, of cotton seed (including seed cotton) of all species and varieties and cottonseed hulls, on account of the pink bollworm.

Quarantine No. 12: Prohibits the importation from Mexico and the countries of Central America of the seeds of the avocado or alligator pear, on account of the avocado weevil.

Quarantine No. 15: Prohibits the importation from all foreign countries of living canes of sugar cane, or cuttings or parts thereof, on account of certain injurious insects and fungous diseases of the sugar cane occurring in such countries. There are no restrictions on the entry of such materials into Hawaii and Porto Rico.

Quarantine No. 19: Prohibits the importation from all foreign localities and countries of all citrus nursery stock, including buds, scions, and seeds, on account of the citrus canker and other dangerous citrus diseases. The term "citrus" as used in this quarantine includes all plants belonging to the subfamily or tribe *Citratæ*.

Quarantine No. 20: Prohibits the importation from all European countries and localities of all pines not already excluded by quarantine, on account of the European pine-shoot moth (*Evetria buoliana*).

Quarantine No. 21: Prohibits the importation from Java and India, and Oceania, except Australia and New Zealand, of all Indian corn, on account of a serious disease of Indian corn known as *Sclerospora maydis*.

Quarantine No. 24: Prohibits the importation from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands, in the raw or unmanufactured state, of seed and all other portions of Indian corn or maize (*Zea mays* L.), and the closely related plants, including all species of Teosinte (*Euchlaena*), Job's tears (*Coix*), *Polytoca*, *Chionachne*, and *Sclerachne*, on account of the downy mildews and *Physoderma* diseases of Indian corn. (Effective on and after July 1, 1916, at which date this order will supersede Quarantine No. 21).

OTHER RESTRICTIVE ORDERS.

In addition to nursery stock, the entry of which was brought under regulation with the passage of the plant quarantine act of August 20, 1912, orders have been issued by the Secretary of Agriculture regulating the entry of potatoes, avocados, and cotton, under the authority contained in section 5 of this act.

The order of December 22, 1913, covering admission of foreign potatoes under restriction, prohibits the importation of potatoes from all foreign countries except under permit and in accordance with the other provisions of the regulations issued under said order on account of injurious potato diseases and insect pests.

The order of February 27, 1914, prohibits the importation from Mexico and the countries of Central America of the fruits of the avocado or alligator pear, except under permit and in accordance with the other provisions of the regulations issued under said order, on account of the avocado weevil. Entry is permitted only through the port of New York, and is limited to the large, thick-skinned variety of the avocado. The importation of the small purple, thin-skinned variety of the fruit of the avocado, and of avocado nursery stock under 18 months of age, is prohibited.

The order of April 27, 1915, prohibits the importation of cotton from all foreign countries and localities except under permit and in accordance with the other provisions of the regulations issued under said order on account of injurious insects, including the pink bollworm. These regulations provide for the unrestricted entry of cotton grown in and imported from the States of Nuevo Leon, Coahuila, Durango, Chihuahua, Tamaulipas, and Lower California, Mexico.

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